

### **AMENDMENTS TO THE CLAIMS**

The complete set of claims is indicated below. Claims 1, 2, 4-6, 8-10, and 25-31 remain as previously pending.

1. (Previously Presented) An apparatus that scores risk associated with accepting a check, the apparatus comprising:

a database that stores biometric information;

a biometric input device; and

a computer processor configured to obtain via the biometric input device biometric information from a check presenter desiring to cash a check, to compare the biometric information from the check presenter with stored biometric information about a payee of the presented check to determine a biometric risk score, to receive information about one or more non-biometric factors associated with the transaction, and to determine a transaction risk score associated with cashing the check based at least in part on the biometric risk score, wherein the transaction risk score is indicative of an acceptable level of risk, even when the biometric risk score is indicative of a low level of confidence, when one or more of the plurality of non-biometric factors is sufficiently positive.

2. (Original) The apparatus of Claim 1, wherein the biometric input device is configured to obtain at least one of the set consisting of: fingerprint, palm print, hand geometry, voice sample, facial image, facial geometry scan, iris scan, retina scan, DNA sample, signature scan, and keystroke dynamics sample.

3. (Canceled)

4. (Previously Presented) A method of scoring risk associated with accepting a check transaction, the method comprising:

obtaining biometric information from a check presenter who desires to cash a check;

accessing stored biometric data;

determining a graduated biometric risk score based at least in part on the biometric information from the check presenter and on the stored biometric data;  
and

determining a transaction risk score associated with accepting the check transaction based at least in part on the gradated biometric risk score.

5. (Previously Presented) The method of Claim 4, wherein determining a gradated biometric risk score comprises comparing the obtained biometric information and the stored biometric data to determine a measure of similarity.

6. (Previously Presented) The method of Claim 5, further comprising determining a the gradated biometric risk score based at least in part on the measure of similarity, wherein the gradated biometric risk score is indicative of a level of confidence in a correct identification of the check presenter.

7. (Canceled)

8. (Previously Presented) The method of Claim 4, wherein determining the transaction risk score further comprises basing the transaction risk score at least in part on a plurality of non-biometric factors associated with the transaction.

9. (Original) The method of Claim 8, wherein basing the transaction risk score at least in part on a plurality of non-biometric factors comprises basing the transaction risk score at least in part on positive pay information for a check presented in association with the check transaction.

10. (Original) The method of Claim 8, wherein determining a transaction risk score may further comprise determining a transaction risk score that is indicative of a low level of risk when the biometric risk score is indicative of a low level of confidence if one or more of the plurality of non-biometric factors is sufficiently positive to produce an acceptable transaction risk score.

11.-24. (Canceled)

25. (Previously Presented) A computerized system that determines whether to authorize a check transaction, the system comprising:

a biometric input device installed at an entity location, wherein the biometric input device is configured to obtain biometric data associated with a check transaction from a check presenter, and wherein the biometric input device is further configured to make the biometric data available for transfer to a check authorization system;

a database of biometric information that stores biometric information about a plurality of individuals; and

a computer processor configured to compare the biometric data associated with the check transaction and biometric information stored in the database; and

a check authorization system configured to determine a gradated risk score based at least in part on the comparison, the check authorization system further configured to determine based at least in part on the risk score whether to authorize the check transaction, wherein the gradated risk score is indicative of an acceptable level of risk, even when the comparison of the biometric data with the biometric information is not indicative of confidence in a correct identification of the check presenter, when one or more non-biometric factors is sufficiently positive.

26.(Original) The computerized system of Claim 25, wherein the database and the computer processor are located at the entity location.

27.(Original) The computerized system of Claim 25, wherein at least one of the set consisting of the database and the computer processor are located at a third party biometric evaluation service.

28.(Original) The computerized system of Claim 27, wherein the database comprises a repository of fingerprint information.

29.(Original) The computerized system of Claim 25, wherein the database and the computer processor are located at the check authorization system.

30.(Previously Presented) A system for indicating to an entity whether to accept a check, the system comprising:

means for receiving biometric information about a participant in a proposed check transaction with an entity;

means for determining a gradated risk score associated with the proposed check transaction based at least in part on the biometric information; and

means for indicating to the entity whether to accept the check based at least in part on the gradated risk score.

**Application No.: 10/731,401**

**Filing Date: December 9, 2003**

31.(Previously Presented) The system of Claim 30, wherein the means for determining a gradated risk score further comprise means for accessing positive pay information associated with the check and for basing the risk score at least in part on the positive pay information.